IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.333 OF 2004

IN

SUMMARY SUIT NO.631 OF 2004

Bobcards Limited .. Plaintiff

versus

Rakesh K.Parekh .. Defendant

...

Mr.I.Punjwani for Plaintiff.

Mr.Deepali Bosamia i/b R.P.Desai for Defendant.

CORAM : D.G. KARNIK, J

DATED : 15th March 2005.

P.C:-

1. Heard learned counsel for the parties. The plaintiff has filed this suit for recovery of the credit card dues. The defendant has disputed certain transactions and in particular purchase of air tickets of Jet Airways. The defendant by filing an affidavit in reply has stated that he had not purchased any jet airways tickets on the said credit card. Learned

counsel for the plaintiff is unable to produce any document to show that the air tickets were purchased by the defendant using the credit card facility. In the circumstances, the defence of the defendant cannot be said to be a defence without substance. The defendant is granted unconditional leave to defend the suit. The suit shall stand transferred to the list of commercial causes. The defendant to file the written statement within a period of one month.

D.G.KARNIK, J